

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 9079**

October 28, 2021

**SUMMARY OF BILL:** Prohibits a governmental entity or private business from refusing, withholding from, or denying a person state or local services, goods, facilities, advantages, privileges, licensing, educational opportunities, healthcare access, or employment opportunities based on the person's COVID-19 vaccination status or possession of proof of vaccination.

Prohibits a governmental entity or private business from excluding, limiting, segregating, refusing to serve, or otherwise discriminating against a person at a place open to the public based on the person's COVID-19 vaccination status or possession of proof of vaccination.

Prohibits an employer from refusing or denying employment to a person, terminating a person from employment, or otherwise discriminating against a person in compensation or in the terms, conditions, or privileges of the person's employment based on the person's COVID-19 vaccination status or possession of proof of vaccination.

Prohibits a governmental entity, private business, or employer from requiring an employee or person receive a COVID-19 vaccination that has not received the United States Food and Drug Administration's approval.

Excludes from these prohibitions private primary, secondary, and postsecondary schools and institutions, child care programs, day care centers, adult day care centers, nursing homes, and assisted living facilities.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- The U.S. Supreme Court issued a ruling in February 20, 1905, *Jacobson v. Massachusetts*, upholding the right of states to compel vaccination.
- Each state decides which vaccines are required based on recommendations from the Centers for Disease Control and Prevention Advisory Committee on Immunization Practices (ACIP).
- Immunization or vaccination for COVID-19 is currently not required by any state or local governmental entity in Tennessee. Prohibiting any such future requirement will not result in a significant fiscal impact to the state or local government.

- The proposed legislation will not significantly impact any programs or policies of state or local governments; therefore, any fiscal impact is estimated to be not significant.
- If the proposed legislation prohibits a state or local entity or private business from following any future federal vaccination mandate, federal funding could be jeopardized.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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